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ALCOHOLIC BEVERAGE  
CONTROL DIVISION  
AGREEMENT

Made this 7 day of July 1998, by and between Vera M. Green, t/a Family Grocery, (the Applicant), and Advisory Neighborhood Commission 6B, Dennis Dolinger, ANC Commissioner 6B12, and Gottlieb Simon, Executive Director, ANC 6B, (the Protestants).

WITNESSETH

WHEREAS, Applicant's application for a Retailers' Class "B" license for premises, 1546 D Street SE SE, ABC Application #10177, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC Board); and,

WHEREAS, the premises is within the boundaries of ANC 6B; and,

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issuance of a Retailers' Class "B" Liquor License at the subject premises; and,

WHEREAS, the parties agree that the sale of single containers of beer, of 40 ounces or less, is associated with alcoholism, the illegal public consumption of alcohol, which, in turn, is associated with violence and other harmful and offensive behavior, including aggressive panhandling, and with the accumulation of destructive and publicly costly trash and litter; and,

WHEREAS, the ability of the District of Columbia government to provide essential public services is compromised by the

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failure of businesses and individuals to pay their financial obligations to the government in a full and timely manner; and,

WHEREAS, the strict enforcement of health, safety, and security regulations enhances compliance with such regulations, and, in turn, preserves and enhances the peace, order, and quiet of communities within the District of Columbia; and,

WHEREAS, members of the Vineyard Baptist Church, 401 16th Street SE, and other neighbors of the Applicant regularly install trash bags on the fence at 401 16th Street; and,

WHEREAS, the Applicant hereby certifies that it does not owe more than \$100 to the District of Columbia government as the result of any fine, fee, penalty interest or past due tax; or, if any amounts are owed, that arrangements satisfactory to the District of Columbia government have been made and are being performed by Applicant.

WHEREAS, Applicant declares that ending the sale of all single containers of beer of 40 or fewer ounces (which Applicant declares make up approximately 75% of the Applicant's sales of alcoholic beverages) will result in financial hardship and will negatively affect the successful operation of the Applicant's business unless other ABC establishments in the immediate vicinity similarly limit their sales of singles;

NOW, THEREFORE, the parties agree as follows:

1. Applicant will prohibit and prevent loitering and panhandling within 100 feet of the establishment by:

a. posting a "No Loitering/No Panhandling" sign on the outside of the establishment;

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- b. posting a sign inside requesting customers not to contribute to panhandlers;
  - c. asking loiterers to move on whenever they are observed outside the establishment;
  - d. calling the MPD to remove the loiterers if they refuse Applicant's request to move on;
  - e. keeping a written record of dates and times when the MPD is called for assistance; and
  - f. not installing an outdoor payphone outside the establishment, and by opposing the efforts any other party to install an outdoor payphone on or adjacent to the establishment;
2. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
  - a. picking up trash, including beverage bottles and cans, daily, or more often if needed.
  - b. sweeping the outside of the establishment daily, or more often if needed.
3. Applicant will participate in an ABC Board-approved course in alcoholic beverage sales and file a certificate of successful completion with the ANC within 90 days of the date of this agreement
4. Applicant will remove and properly dispose of the contents of the trash bags placed on the fence at 401 16th Street SE on Monday, Wednesday and Friday morning, and at 7:00 p.m. on Saturdays.

- 7.
5. Applicant will not sell candy, ice cream, soft drinks, or other "snack" food to school-age children before 11:00 am on days that school is in session.
6. Applicant agrees not to sell single containers of beer of 40 or fewer ounces (for consumption off the store's premises) when each and every ABC licensed establishment within 600 feet of the Applicant's establishment at 1546 D Street SE SE agrees to the same.
7. In consideration of, and reliance upon, the commitments reflected in paragraph 1-~~6~~, the Protestants hereby withdraw their opposition to the applicant's pending license application.
8. The parties further agree that any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5.

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

*Tera M. Green*

PROTESTANTS:

By:

By:

*Gottlieb Simon*  
Gottlieb Simon  
for the PROTESTANTS

BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD

**In the Matter of:**

Vera M. Green  
T/a Family Grocery

Application for a Retailer's  
Class B - renewal  
at premises

1546 D Street, SE  
Washington, DC 20003

Case No. 10177-98043P

**Gottlieb Simon, Executive Director, on behalf Advisory Neighborhood Commission  
(ANC) 6B, Protestant**

**Vera M. Green, Applicant**

**BEFORE: RODERIC L. WOODSON, ESQUIRE, CHAIR  
VERA ABBOTT, MEMBER  
CHARLES BURGER, MEMBER  
LAURIE COLLINS, MEMBER  
JUDY MOY, MEMBER  
ELLEN OPPER-WEINER, ESQUIRE, MEMBER  
AUDREY THOMPSON, MEMBER**

**ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT**

This matter, having been protested, was scheduled for a roll call hearing on May 27, 1998, in accordance with D.C. Code Section 25-115(c)(5) (1999 Supp.), providing for the protestants to be heard. The Board received a timely protest letter from Gottlieb Simon, Executive Director, ANC 6B, dated May 11, 1998.


The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement, dated July 7, 1998, the protestants have agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

Vera M. Green  
T/a Family Grocery  
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Accordingly, it is this 18<sup>th</sup> day of April 2001, **ORDERED** that:

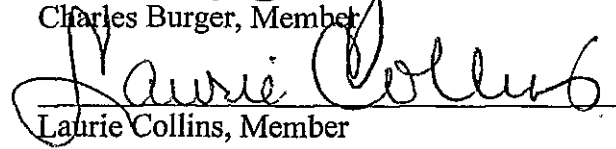
1. The opposition of Gottlieb Simon, Executive Director, on behalf of ANC 6B, be, and the same hereby is **WITHDRAWN**;
2. The application of Vera M. Green, t/a Family Grocery, for a retailer's class B license (renewal) at premises 1546 D Street, SE, Washington, DC, 20003, be, and the same hereby, is **GRANTED**; and
3. The above-referenced agreement between the parties, be, and the same hereby is **INCORPORATED** and part of this **ORDER**; and;
4. Copies of this Order shall be sent to the Protestant and the Applicant.

DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL  
BOARD

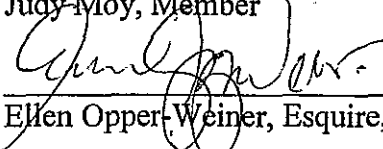
  
Roderic L. Woodson, Esquire, Chair

  
Vera Abbott, Member

  
Charles Burger, Member

  
Laurie Collins, Member

Judy Moy, Member

  
Ellen Oppert-Weiner, Esquire, Member

Audrey Thompson, Member